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BOX PCT
IN THE UNITED STATES DESIGNATED OFFICE
OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNDER THE PATENT COOPERATION TREATY-CHAPTER II

5

REQUEST FOR RECONSIDERATION
OF DECISION DATED DECEMBER 19, 2002

APPLICANTS: Min et al. CONFIRMATION NO. 8791
SERIAL NO.: 09/937,875 GROUP ART UNIT: Not Yet Assigned
FILED: October 1, 2001 EXAMINER: Not Yet Assigned

10 TITLE: "A RATE ADAPTIVE PACEMAKER"

Assistant Commissioner for Patents,
Washington, D.C.

S.I.R:

On January 30, 2002, Applicants filed a paper entitled "Response to
15 Notification of Missing Requirements," which was treated as a Petition under
37 C.F.R. §1.181. In that paper, Applicants stated that, due to delays which
were typical following September 11, 2001, the stamped return postcard for
the originally-filed application had not been received by the undersigned
counsel's law firm, but the aforementioned Response was accompanied by
20 copies of papers from the file maintained by counsel's law firm indicating that
a signed Declaration had been submitted with the original application papers.
The Response (treated as a Petition) was denied in a Decision dated
December 19, 2002, because of the absence of a stamped return postcard.

In the intervening time, the stamped return postcard has now been
25 received, and a copy is attached hereto indicating receipt of the Declaration,
among the other original filing papers, on October 1, 2001, at the Patent and
Trademark Office.

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Accordingly, reconsideration of the December 19, 2002 Decision is respectfully requested, and it is also requested that the present application be accorded a filing date of October 1, 2001.

Submitted by,

Steven H. Noll

(Reg. 28,982)

SCHIFF, HARDIN & WAITE

CUSTOMER NO. 26574

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Attorneys for Applicants.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on January 16, 2003.

Steven H. Noll

STEVEN H. NOLL

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Express Mail No. EL 843741752US

HON. COMMISSIONER OF PATENTS & TRADEMARKS
WASHINGTON, D.C. 20231

SIR:

PLEASE APPLY A RECEIPT STAMP HERETO AND MAIL TO
ACKNOWLEDGE RECEIPT OF THE ATTACHED:

Mart Min et al

APPLICANT

Oct 1, 2001

MAILING DATE

899 due 9/30

PCT/SE 00/00572 International
Application, drawings, PTO 1390
Declaration, \$1170 filing fee

TYPE OF DOCUMENT(S)

533 Rec'd PCT/PTO 01 OCT 2001
P01,0337

REFERENCE NUMBER

09/937875

SCHIFF HARDIN & WAITE

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